

110TH CONGRESS
2D SESSION

H. R. 7165

To amend the Millennium Challenge Act of 2003 to authorize regional and concurrent compacts under that Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 2008

Mr. PAYNE (for himself and Mr. CRENSHAW) introduced the following bill;
which was referred to the Committee on Foreign Affairs

A BILL

To amend the Millennium Challenge Act of 2003 to authorize regional and concurrent compacts under that Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Millennium Challenge
5 Compact Improvement Act (MCIA)”.

6 **SEC. 2. MILLENNIUM CHALLENGE COMPACT.**

7 (a) DURATION OF COMPACTS.—Section 609 of the
8 Millennium Challenge Act of 2003 (22 U.S.C. 7708) is
9 amended—

10 (1) by striking subsection (j); and

1 (2) by inserting after subsection (i) the fol-
2 lowing new subsection:

3 “(j) DURATION OF COMPACT.—

4 “(1) IN GENERAL.—Except as provided in sub-
5 paragraph (2), the duration of a Compact shall not
6 exceed 5 years.

7 “(2) EXCEPTION.—The duration of a Compact
8 (including a regional Compact) may exceed 5 years
9 if the Board—

10 “(A) determines that the Compact includes
11 a project that cannot be completed in 5 years
12 or less; and

13 “(B) approves a duration for the Compact
14 of not more than 10 years.

15 “(3) ADVANCE NOTIFICATION.—Not later than
16 15 days before the Board approves a duration for a
17 Compact that exceeds 5 years pursuant to subpara-
18 graph (2), the Board, acting through the Chief Ex-
19 ecutive Officer, shall submit to the appropriate con-
20 gressional committees an advance notification of
21 such approval, including a detailed explanation for
22 the determination and approval.”.

23 (b) CONCURRENT AND SUBSEQUENT COMPACTS.—

24 Section 609 of such Act (22 U.S.C. 7708) is amended—

25 (1) by striking subsection (k); and

1 (2) by inserting after subsection (j) (as amend-
2 ed by subsection (a)) the following new subsection:

3 “(k) CONCURRENT AND SUBSEQUENT COMPACTS.—

4 “(1) IN GENERAL.—Subject to the require-
5 ments of paragraph (2), and in accordance with the
6 requirements of this title, an eligible country and the
7 United States—

8 “(A) may enter into and have in effect
9 more than one Compact at any given time; and

10 “(B) may enter into subsequent Compacts
11 after the expiration of existing Compacts.

12 “(2) REQUIREMENTS.—

13 “(A) CONCURRENT COMPACTS.—An eligi-
14 ble country and the United States may enter
15 into a concurrent Compact (including a regional
16 Compact) only if the Board determines that the
17 country is making considerable and demon-
18 strable progress in implementing the terms of
19 its existing Compact and supplementary agree-
20 ments thereto.

21 “(B) SUBSEQUENT COMPACTS.—An eligi-
22 ble country and the United States may enter
23 into a subsequent Compact only if the Board
24 determines that the country has substantially
25 met the objectives of prior Compacts between

1 the country and the United States and supple-
2 mentary agreements thereto, or the Board de-
3 termines that the eligible country has dem-
4 onstrated sufficient capacity to perform success-
5 fully on a subsequent Compact.”.

6 (c) APPLICABILITY.—The amendments made by sub-
7 sections (a) and (b) apply with respect to Compacts en-
8 tered into between the United States and an eligible coun-
9 try under the Millennium Challenge Act of 2003 before,
10 on or after the date of the enactment of this Act.

11 (d) CONFORMING AMENDMENT.—Section
12 613(b)(2)(A) of such Act (22 U.S.C. 7712(b)(2)(A)) is
13 amended by striking “the” before “Compact” and insert-
14 ing “any”.

15 **SEC. 3. AUTHORIZATION OF REGIONAL ASSISTANCE.**

16 (a) ASSISTANCE.—Section 605(a) of the Millennium
17 Challenge Act of 2003 (22 U.S.C. 7704(a)) is amended
18 by adding at the end the following new sentence: “The
19 assistance contemplated by this subsection may be pro-
20 vided through a Compact with a country individually and/
21 or through a Compact with two or more countries in the
22 same geographic region collectively.”.

23 (b) ELIGIBLE ENTITIES.—Section 605(c) of such Act
24 (22 U.S.C. 7704(c)) is amended—

1 (1) in paragraph (2), by striking “or” at the
2 end;

3 (2) in paragraph (3), by striking the period at
4 the end and inserting “; or”; and

5 (3) by adding at the end the following:

6 “(4) an entity, structure, or other arrangement
7 established by two or more eligible countries in con-
8 nection with a regional Compact.”.

9 (c) CONFORMING AMENDMENTS.—

10 (1) COMPACT.—Section 609(a) of such Act (22
11 U.S.C. 7708(a)) is amended by inserting after “only
12 if the country” the following: “(or countries, in the
13 case of a regional Compact)”.

14 (2) ASSISTANCE FOR DEVELOPMENT OF COM-
15 PACT.—Section 609(g) of such Act (22 U.S.C.
16 7708(g)) is amended—

17 (A) by inserting after “eligible country”
18 the following: “(or countries, in the case of a
19 regional compact)”;

20 (B) by inserting at the end before the pe-
21 riod the following: “(or countries, as appro-
22 priate)”.

23 (3) SUSPENSION AND TERMINATION OF ASSIST-
24 ANCE.—Section 611 of such Act (22 U.S.C. 7710)
25 is amended—

1 (A) by redesignating subsections (c) and
2 (d) as subsections (d) and (e), respectively; and
3 (B) by inserting after subsection (b) the
4 following new subsection:

5 “(c) REGIONAL COMPACTS.—In the case of a regional
6 compact, the Chief Executive Officer may—

7 “(1) after consultation with the Board, suspend
8 or terminate assistance in whole or in part to one or
9 more countries, as appropriate, based on a deter-
10 mination consistent with subsection (a); and

11 “(2) reinstate assistance for a country or coun-
12 tries, as appropriate, based on a determination con-
13 sistent with subsection (b).”.

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